

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PHILLIPPI S. LOWE,)	
)	
Plaintiff,)	
)	
v.)	2:07-CV-00029-WKW
)	
MONTGOMERY CITY OF ALABAMA,)	
)	
Defendant.)	

AMENDED ORDER

The original Show Cause Order issued by the Court (Doc. 8, filed February 8, 2007) had an inadvertent error wherein the wrong defendant was listed in the body of the order.¹ To correct the error and upon review of *Defendant's Motion to Dismiss*, filed by Defendant City of Montgomery (Doc. 7, filed February 8, 2007), it is

ORDERED that Plaintiff show cause why the *Motion to Dismiss* (Doc. 7) should not be granted on or before **March 30, 2007**.

IN DEFERENCE TO THE PLAINTIFF'S STATUS AS A NON-LAWYER, PRO-SE LITIGANT, THE COURT ADVISES:

1. It is necessary to respond specifically to each ground asserted in the Motion to Dismiss.
2. Failure to file *any* response may be treated as an abandonment of the claims set

¹ Defendant Woodley Manor Nursing Home from Cause Number 2:06-cv-1041-WKW was listed instead of Defendant City of Montgomery, Alabama.

forth in the complaint. If Plaintiff fails to respond with respect to *each* of the claims challenged in the motion for dismissal, the Court may treat this failure as an abandonment of each specific claim not addressed in Plaintiff's response. **The *pro se* Plaintiff is advised that if he fails to file *any* response**, the court will proceed to decide the merits of Defendant's contention that "the complaint fails to state a claim upon which relief can be granted."

3. Failure to follow the requirements of this Order in responding to the Defendant's motion may result in the entry of a final judgment in defendant's favor without any trial.

DONE this 19th day of March, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE